

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F043071 Sweat v. Big Time Auto Racing, Inc.

The judgment is reversed and the matter is remanded for further proceedings consistent with this opinion. Costs on appeal are awarded to appellant. Vartabedian, Acting P.J.

We concur: Buckley, J.; Wiseman, J.

[CERTIFIED FOR PUBLICATION]

F043371 People v. Galbraith

The above-entitled case is submitted for decision.

F043371 People v. Galbraith

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040957 People v. Navarro

Appellant's petition for rehearing filed herein is denied.

F041080 People v. Darrett

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE
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F043030 People v. Coleman

Count 5, the attempted arson, is reversed. Additionally, we direct that on of the prior prison term enhancements arising from Kern County case No. SC52369 be stricken. The matter is remanded for resentencing for the trial court to consider whether section 654 applies to any of the crimes. In all other respects, the judgment is affirmed. Vartabedian, Acting P.J.

We concur: Buckley, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043492 People v. Allen

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F043492 People v. Allen

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044411 In re Luis V., Jr. et al., Minors; Tulare County Health and Human Services Agency v. Luis V., Sr.

No brief or request for extension of time having been filed with the time provided, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F042349 People v. Johnson

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F044650 In re Athena A., a Minor; Stanislaus County Community Services Agency v. Leanna C.

No brief or request for extension of time having been filed within the time provided, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F041256 People v. Battaglia

The sentence imposed on count 1 is vacated and the matter is remanded to the trial court for resentencing on that count. In all other respects the judgment is affirmed. Harris, Acting P.J.

We concur: Cornell, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042265 People v. Fosselman, Jr.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042265 People v. Fosselman, Jr.

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044263 In re M. K., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F044263 In re M. K., a Minor

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043552 People v. Ochoa

The above-entitled case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

- F043552 People v. Ochoa**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F042158 People v. Demery**
The judgment is affirmed. Dibiaso, Acting P.J.
We concur: Harris, J.; Levy, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F043750 People v. Gomez**
Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

Pursuant to rule 30.3, California Rules of Court, it is further ordered that the remittitur issue forthwith.
- F042915 People v. Roberson**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.
- F042996 Grewal v. Gutierrez**
The judgment is affirmed. Respondent shall recover his costs on appeal. Dibiaso, Acting P.J.
We concur: Harris, J.; Levy, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]